

TESTIMONY OF ROBERT JACKSTA
EXECUTIVE DIRECTOR OF BORDER SECURITY AND FACILITATION
OFFICE OF FIELD OPERATIONS
BEFORE THE HOUSE COMMITTEE ON HOMELAND SECURITY
SUBCOMMITTEE ON ECONOMIC SECURITY, INFRASTRUCTURE PROTECTION
AND CYBERSECURITY

Chairman Lungren and Members of the Subcommittee, thank you for this opportunity to testify. I am Robert Jacksta, Executive Director for Border Security and Facilitation, Office of Field Operations. I would like to discuss the efforts of the U.S. Customs and Border Protection (CBP) regarding the process of improving and streamlining the reporting processes for travelers who enter the United States by small pleasure craft.

The Outlying Area Reporting Station (OARS) was implemented in remote areas along the Northern border to facilitate compliance with statutory and regulatory reporting requirements. The OARS videophones allow the master of a small boat to call into a CBP monitoring site and establish a video feed (face-to-face reporting) to report arrival into the United States and make an oral declaration. The OARS program was established to simplify reporting requirements for boaters who were not members of a Registered Traveler Program such as the Small Boat Landing Permit (I-68) or a Port Pass (northern border).

The current authorized procedure for small boat reporting under 19 USC 1433 requires the master of the vessel to report the arrival at the nearest customs facility or such other place as the Secretary may prescribe by regulations. These reports are tracked in the Pleasure Boat Reporting System within the Treasury Enforcement Communications System (TECS). Pursuant to 8 CFR 235.1, an application to lawfully enter the United States must be made in person to an immigration officer at a U.S. port-of-entry when the port is open for inspection. For the northern border only, alternatives to the regulatory face-to-face reporting requirement are the Canadian Border Boat Landing Permit (I-68) that is issued seasonally to qualified small boat operators and the "Port Pass" enrollment. The I-68 satisfies the boat operator's legal requirement to report to a port-of-entry for face-to-face inspection in accordance with 8 CFR 235.1, but a phone in arrival is still required to satisfy 19 USC 1433. Port Pass is an alternative inspection program for Registered Travelers, such as NEXUS.

OARS could be an optional method of reporting entry for boaters who are not participants in the I-68 or any other Registered Traveler Program. However, while the OARS system is effective along the Northern Border, CBP cautions that, due to the large number of boaters along the Florida coast, OARS may not be able to handle the volume of calls. In some cases along the Northern Border, even with a relatively small amount of boaters utilizing the OARS phones, boaters have experienced unusually long waits connecting with CBP monitoring sites.

While OARS may be a potential solution, and CBP is not opposed to OARS as an alternative means of reporting, CBP is currently developing a strategy on secure remote

reporting process for low-risk boaters. The strategy will identify key locations where remote reporting is beneficial to the public. CBP will determine these key locations based on risk factors associated with securing our Nation's waterways. The discretion to site the remote reporting process, rather than fix it at pre-determined locations, is essential. CBP must be able to maneuver and/or relocate to more operationally feasible areas based on resources and or potential risk factors.

Similarly, program eligibility will impact the remote reporting process. Although U.S. citizens and Lawful Permanent Residence are considered low risk (as indicated in OARS draft), CBP seeks to expand the program to all low-risk travelers (non U.S. citizens), as part of a Registered Traveler Program, to develop expeditious and secure cross border travel.

In summary, the OARS program is a viable solution for small boat reporting in low traffic areas, in conjunction with a trusted traveler program. The large volumes of pleasure boat traffic in the Florida area, however, would likely overwhelm the OARS system. CBP is developing a strategy to expand the Registered Traveler Program nationwide to simplify the reporting process while meeting the reporting requirements.

Thank you again, Chairman Lungren and members of the Sub-Committee, for giving U.S. Customs and Border Protection this opportunity to testify. I would be happy to answer any questions you may have.